

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**FREEDOM FROM RELIGION
FOUNDATION, INC.; PETER VIVIANO,
ERNIE HIRSHMAN, SABINA HIRSHMAN,
PAUL WEINBAUM, MARTIN J. BOYD, M.D.,
and JESSE V. CHAVEZ,,**

Plaintiffs,

v.

No. CIV-05-1168/RLP/KRM

**GOVERNOR BILL RICHARDSON, SECRETARY
JOE R. WILLIAMS, HOMER GONZALES,
BILL SNODGRAS, and CORRECTIONS
CORPORATION OF AMERICA, INC.,**

Defendants.

UNOPPOSED MOTION TO DISMISS COMPLAINT

COME NOW Defendants and move this Court for an Order dismissing the Complaint and all claims that were or could have been brought therein with prejudice.

1. Based on the Court's Notice of Proposed Withdrawal of Memorandum Opinions and Orders [Docket Nos. 92 and 93], the Parties agree to dismissal of the Complaint and all claims contained therein.
2. Accordingly, a proposed Stipulated Order of Dismissal is submitted herein.
3. Plaintiffs' counsel has been contacted and does not oppose the dismissal of the Complaint and all claims contained therein with prejudice.

WHEREFORE, Defendants respectfully request that this Court enter an order

dismissing the Complaint and all claims that were or could have been brought against Defendants in the above-entitled and numbered cause of action with prejudice. All parties shall bear their own attorney fees and costs incurred therein.

By _____/s/_____
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_____/s/_____
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I hereby certify that on this July 6, 2007 the following pleading was placed in the United States Mail, first-class postage prepaid, to Plaintiffs' counsel and sent by email to all counsel of record:

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_____/s/ David K. Thomson_____
Assistant Attorney General